

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER RAPER  
COMMISSIONER ANDERSON  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** ERICK SHANER  
DEPUTY ATTORNEY GENERAL

**DATE:** SEPTEMBER 24, 2021

**SUBJECT:** IN THE MATTER OF THE APPLICATION OF IDAHO POWER COMPANY FOR APPROVAL OR REJECTION OF THE FIRST AMENDMENT TO THE ENERGY SALES AGREEMENT WITH SHOROCK HYDRO, INC. FOR THE SALE AND PURCHASE OF ELECTRIC ENERGY FROM THE ROCK CREEK #1 HYDRO PROJECT; IPC-E-21-31.

On August 26, 2021, Idaho Power Company (“Company”) applied to the Commission for approval or rejection of the First Amendment to Energy Sales Agreement (“First Amendment”) with Shorock Hydro, Inc. (“Seller”) for the energy generated by the Rock Creek #1 Hydro project (“Facility”). Application at 1. The Facility is a Public Utility Regulatory Policies Act of 1978 (“PURPA”) Qualifying Facility. *Id.*

### THE APPLICATION

The Seller has been delivering energy to the Company under a firm energy sales agreement for the Facility that was executed on September 25, 2017 and approved under Commission Order No. 33949 on December 13, 2017. *Id.* at 2.

The First Amendment provides for the Seller to change the net energy amounts adjustment time period so that the Seller “can make adjustments by the 25<sup>th</sup> day of the preceding month in which a change is requested, similar to other such 25<sup>th</sup> day of the month provisions previously approved by the Commission.”

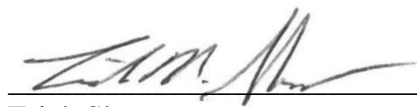
The Company requests that the Commission set a procedural schedule that would result in a final Commission determination on the First Amendment and that the case be processed by modified procedure. *Id.* at 4.

### **STAFF RECOMMENDATION**

Staff recommends the Commission issue a Notice of Application and Notice of Modified Procedure and establish a 21-day comment deadline and a 7-day reply comment deadline.

### **COMMISSION DECISION**

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure and establish a 21-day comment deadline and a 7-day reply comment deadline?

A handwritten signature in black ink, appearing to read "Erick Shaner", is written over a horizontal line.

Erick Shaner  
Deputy Attorney General

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